



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
16th City Council

40th Regular Session

ORDINANCE NO. SP- **1590**, S-2005
(PO2005-221)

AN ORDINANCE REGULATING THE OPERATION OF PUBLIC SWIMMING POOLS, PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, AND FOR OTHER PURPOSES.

Introduced by Councilors VICTOR V. FERRER, JR., ELIZABETH A. DELARMENTE, FRANCISCO A. CALALAY, JR., ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, ALLAN BUTCH T. FRANCISCO, JULIAN M.L. COSETENG, EDCEL B. LAGMAN, JR., ANTONIO E. INTON, JR., RESTITUTO B. MALAÑGEN and BAYANI V. HIPOL.

WHEREAS, Section 16 of Republic Act No. 7160, otherwise referred to as the Local Government Code of 1991, empower "Every local government unit to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare" and, as it is, said local government units, as the Local Government of Quezon City, shall, within their territorial jurisdiction, "ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants";

WHEREAS, public swimming pools or those which are lent indiscriminately to the public for their use, whether or not for a fee or rent, either government or privately-owned, require certain safety measures and devices in their operation for the benefit of the public they serve;

WHEREAS, in most instances, however, said public swimming pools do not enjoy the services of a lifeguard nor the amenities of warning devices such as with regard to depths in specific areas, etc. which invariably endanger the lives of those who use the same, particularly the children:

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WHEREAS, the Sangguniang Panlungsod deems it appropriate to regulate the operation of public swimming pools within their territorial jurisdiction of Quezon City for the benefit of the public in general and, to give teeth to such regulations, corresponding penalties are hereby imposed for violation thereof.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN REGULAR SESSION ASSEMBLED:

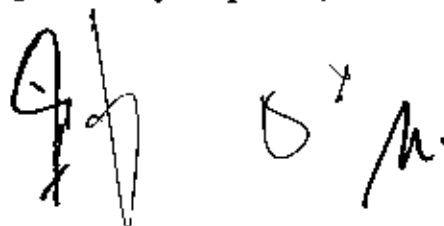
SECTION 1. This ordinance shall be known as the "Quezon City Public Swimming Pool Regulation Ordinance" of 2005.

SECTION 2. It is hereby declared a policy of the Local Government of Quezon City to promote public order and safety within its territorial jurisdiction and to regulate activities which affect the same.

SECTION 3. Henceforth, public swimming pools are required to avail of the following services and facilities:

- a. At least one (1) experienced lifeguard for every fifty (50) persons capacity of the pool/s, with elevated posts overlooking the entire premises;
- b. Reasonably legible indicators of the specific depths of the water in the pool;
- c. Measuring equipment of the "ph" level of the water, said "ph" level to be measured at least once for every day of operation;
- d. As much as practicable, separate showers and dressing rooms for males and females;
- e. Such other services and facilities as may from time to time be reasonably required by the Department of Public Order and Safety.

SECTION 4. Children below fifteen (15) years of age shall not be admitted to any public swimming pool if not accompanied by a parent, guardian or instructor.



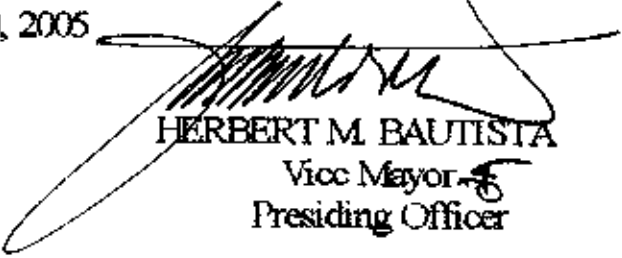
SECTION 5. The president, managing partner or proprietor of a public swimming pool which shall operate in violation of the regulations contained in this Ordinance shall be punished by imprisonment not exceeding thirty (30) days, a fine not exceeding Two Thousand Pesos (P2,000.00), or both such fine and imprisonment.

SECTION 6. The Department of Public Order and Safety (DPOS), in consultation and collaboration with other appropriate departments of the City government, is hereby tasked to supervise strict compliance with this Ordinance. Immediately, it shall undertake an information campaign regarding the provisions hereof and apprehend violators, preferably with the assistance of the local force, and prosecute said violators.

SECTION 7. If, any part of this Ordinance is declared invalid or unconstitutional, for any reason by a court of competent jurisdiction, the remaining parts hereof which are unaffected by the declaration shall continue in full force and effect.

SECTION 8. This Ordinance shall become effective fifteen (15) days following the completion of its publication in a newspaper of general circulation within Quezon City.


ENACTED: September 20, 2005


HERBERT M. BAUTISTA
Vice Mayor &
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Secretary

APPROVED: NOV 17 2005


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on September 20, 2005, was finally PASSED on Third/Final Reading by the City Council under Suspended Rules on the same date.


EUGENIO V. JURILLA
City Secretary